



1/15/08

PATENT
Attorney Docket No. 05793.3130-00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
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Roy E. LOWRANCE et al.) Group Art Unit: 2161
)
Application No.: 10/820,797) Examiner: KIM, Paul
)
Filed: April 9, 2004) Confirmation No.: 8723
)
For: METHODS AND SYSTEMS FOR)
VERIFYING THE ACCURACY OF)
REPORTED INFORMATION)

Attention: Mail Stop Appeal Brief-Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

REPLY BRIEF UNDER 37 C.F.R. § 41.41

Pursuant to 37 C.F.R. § 41.41, Appellants present this Reply to the
Examiner's Answer mailed March 17, 2008.

REMARKS

I. Status of Claims

In response to the Appeal Brief filed on December 5, 2007, the Examiner's Answer mailed March 17, 2008 maintains, the rejection of claims 1, 3, 5, 7-11, 22, 24, 26, 28-32, 43, 45, 47, and 49-53 under 35 U.S.C. § 102(e) as being anticipated by *Hillis et al.* (U.S. Patent Publication No. 2003/0196094), and the rejection of claims 6, 27, and 48 under 35 U.S.C. § 103(a) as being unpatentable over *Hillis et al.* in view of the Examiner's Official Notice.

The Examiner's Answer incorrectly indicates that claims 2, 4, 56, 23, 25, 44, 46, and 48 were cancelled by the Amendment filed on February 12, 2007.¹ (*Examiner's Answer*, p. 2.) On the contrary, the Amendment filed February 12, 2007, cancelled claims 2, 4, 12-21, 23, 25, 33-42, 44, and 46. Claims 1, 3, 5-11, 22, 24, 26-32, 43, 45, and 47-53 remain pending in this application and are the subject-matter of this appeal.

II. Response to Examiner's Arguments in the Answer

Appellants traverse the Examiner's rejection of claims 1, 3, 5, 7-11, 22, 24, 26, 28-32, 43, 45, 47, and 49-53 under 35 U.S.C. § 102(e) and the rejection of claims 6, 27, and 48 under 35 U.S.C. § 103(a). Appellants respectfully disagree with the Examiner's assertions presented in the Examiner's Answer for reasons discussed in their Appeal Brief and the supplemental reasons presented below.

¹ Additionally, the Examiner's Answer improperly includes a rejection for cancelled claims 2, 23, and 44. (*Examiner's Answer*, p. 4.)

Independent claim 1 recites, among other things:

generating a hash based on ingredient data related to the generation of the report, wherein the ingredient data comprises the report information, the one or more query statements, and at least one of a date and time the report was generated and a version of the report information.

Independent claims 22 and 43, although of different scope than claim 1, recite similar subject matter.

In maintaining the rejection of claim 1, the Examiner asserts:

It is noted that Hillis et al discloses the allowance of 'search engines and automatic indexers to match objects with particular characteristics' such that user annotations and document metadata regarding the content may be used in querying data objects. See Hillis, Para. [0027]. Accordingly, the returned data object would constitute the generation of the report (i.e. the data object) using the report information (i.e., 'user annotations' and 'document metadata').

(*Examiner's Answer*, p. 7.) In doing so, however, the Examiner erroneously equates the ability of search engines and indexers to "match" objects with the "generating" step recited in claims 1, 22, and 43. Appellants respectfully disagree with this interpretation.

Hillis et al. discloses a system accessible by a user through a set of Applications Program Interfaces (APIs). (*Hillis et al.*, ¶ 0213.) "The API allows search engines and automatic indexers to match objects with particular characteristics. These search engines are applications that use the system, but that are not built into the system architecture." (*Id.* at 0227.) When the search engines, as disclosed by *Hillis et al.*, "match objects with particular characteristics," the objects are already present in the system. Specifically, "[t]he API allows authorized users to add data objects, concepts

nodes and links to the system, specifying the storage location of the related data and metadata.” (*Id.* at 0215.) Therefore, the search engines do not generate the objects.

Moreover, the search engines disclosed by *Hillis et al.* are not used to generate a hash. On the contrary, and as discussed in detail in the Appeal Brief filed on December 5, 2007, *Hillis et al.* discloses that “[w]hen a data object is registered in the system, its type and content are used to generate a fast, unique hash value, which is used as the aforementioned index into the registry.” (*Id.* at ¶ 0242.) Accordingly, *Hillis et al.* does not disclose “generating a hash based on ingredient data related to the generation of the report, wherein the ingredient data comprises the report information, the one or more query statements . . . ,” as recited in independent claim 1 and similarly recited in independent claims 22 and 43.

For at least the above reasons, the rejection of independent claims 1, 22, and 43 under § 102(e) is legally deficient because each and every recitation of the claim is not disclosed or inherent in the teachings of *Hillis et al.* The rejection of dependent claims 3, 5, 7-11, 24, 26, 28-32, 45, 47, and 49-53 is also legally deficient at least by virtue of their respective dependence from claims 1, 22, and 43. Therefore, the rejection of claims 1, 3, 5, 7-11, 22, 24, 26, 28-32, 43, 45, 47, and 49-53 under § 102(e) should be reversed.

Dependent claims 6, 27, and 48 depend respectively from independent claims 1, 22, and 43. Accordingly, the rejection of claims 6, 27, and 48 under § 103(a) is legally deficient for at least the reasons set forth above regarding independent claims 1, 22, and 43. The rejection of claims 6, 27, and 48 under § 103(a) is also legally deficient because the Examiner’s Official Notice does not address the above deficiencies of *Hillis*

et al. and because the Official Notice is improper for the reasons discussed on pages 14-15 of the Appeal Brief filed on December 5, 2007. Therefore, the rejection of claims 6, 27, and 48 under § 103(a) should be reversed.

III. Conclusion

For the reasons set forth above, supplementing those presented in the Appeal Brief filed on December 5, 2007, pending claims 1, 3, 5-11, 22, 24, 26-32, 43, 45, and 47-53 are allowable and reversal of the Examiner's rejection is respectfully requested.


If there are any fees due that are not enclosed herewith, please charge such fees to our Deposit Account No. 06-0916.

Respectfully submitted,

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Dated: May 12, 2008

By: _____


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